

On August 15, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17633. Misbranding of Inhalex. U. S. v. 30 Bottles of Inhalex. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24528. I. S. No. 015734. S. No. 2828.)**

An examination of samples of a drug product known as Inhalex from the herein described interstate shipment, having shown that the article bore labels containing certain curative and therapeutic claims that it was incapable of producing and that the labels bore no statement of the amount of alcohol contained in the article, the Secretary of Agriculture reported the matter to the United States attorney for the District of Delaware.

On or about February 15, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 30 bottles of Inhalex, remaining in the original unbroken packages at Wilmington, Del., alleging that the article had been shipped by the Li Roth Research Laboratories (Inc.), from Philadelphia, Pa., on or about November 21, 1929, and had been transported from the State of Pennsylvania into the State of Delaware, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted of formaldehyde (6.5 per cent), volatile oils, including menthol (27.0 per cent), alcohol (38.7 per cent), and water.

It was alleged in the libel that the article was misbranded in that the package and label did not bear a statement of the alcoholic content. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, borne on the bottle and carton labels and in the accompanying folder and leaflet, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "For \* \* \* Throat Affections;" (carton) "Sore Throat, La Grippe, Sinus, Catarrh \* \* \* for \* \* \* Throat Affections \* \* \* Sufferers from LaGrippe, \* \* \* Sinus Catarrh, Sore Throat, Asthma, Rose and Hay Fevers find instantaneous relief in this marvel Inhalex;" (folder) "A \* \* \* Cough No Ills \* \* \* Sinus Catarrh \* \* \* Sore Throat \* \* \* La Grippe \* \* \* Ready relief for sufferers from \* \* \* catarrh, sinus, sore throat, asthma, la grippe \* \* \* and other allied ailments due directly or indirectly to the respiratory organs. Hay and Rose fever sufferers upon application of Inhalex find instantaneous relief. Medical advisors through the country have sponsored and acclaimed Inhalex for its immediate relief effects due to inflammations \* \* \* of the air passages. \* \* \* Direct Methods of Application \* \* \* Obstinate cases of catarrh, sinus, asthma, etc. \* \* \* Age No Criterion Infants \* \* \* croup \* \* \* Children \* \* \* Those suffering from \* \* \* sore throat, coughs \* \* \* etc. \* \* \* Send Your Children to School and Play Accompanied With a Drop of Inhalex and Have An Assured Health Protection. Adults—Place a few drops of Inhalex \* \* \* and inhale immediately in a severe case. \* \* \* A Drop of Inhalex Means Tons of Relief;" (leaflet) "And you have Instant relief from \* \* \* Coughs and even worse. \* \* \* The Ideal \* \* \* Inhalant—Instantly relieves \* \* \* Catarrh, Sinus and Asthma. \* \* \* Instant relief for Sore Throat."

On June 30, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17634. Misbranding of Lung Saver. U. S. v. 12 Dozen Bottles of Lung Saver. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24531. I. S. No. 015744. S. No. 2809.)**

An examination of samples of a drug product known as Lung Saver, having shown that the labels bore claims of curative and therapeutic effects that it was incapable of producing and that the labels failed to bear a correct statement of the quantity or proportion of chloroform contained in the article, the Secretary of Agriculture reported the matter to the United States attorney for the District of Delaware.